

**SUPREME COURT MINUTES
MONDAY, MAY 19, 2008
SAN FRANCISCO, CALIFORNIA**

S139762 C046869 Third Appellate District **YOUNT (STEVEN) v. CITY
OF SACRAMENTO**

Opinion filed: Affirmed in part, reversed in part, and remand for further proceedings consistent with this opinion.

Majority opinion by: Baxter, J.

-----joined by: George, C. J., Kennard, Chin, Moreno, and Corrigan, JJ.

Concurring opinion by: Werdegarr, J.

S145571 B182104//B184127/B184549
Second Appellate District, Div. 1 **SANTA MONICA, CITY OF v.
GONZALEZ (GUILLERMO)**

Opinion filed: Judgment affirmed in full

Opinion by: Baxter, J.

-----joined by: George, C. J., Kennard, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S163496 B206995 Second Appellate District, Div. 5 **PEOPLE v. TONG (SHONG-
CHING)/(APPELLATE
DIVISION OF THE
SUPERIOR COURT)**

Petition stricken (case closed - criminal)

The petition for review filed on May 12, 2008, is hereby ordered stricken pursuant to CRC 8.500(a).

S161653 H030187 Sixth Appellate District **PEOPLE v. FICKES (DAVID
KERSHAW)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 2, 2008.

S161729 F052532 Fifth Appellate District

**PEOPLE v. ANDERSON
(CHARLES THOMAS)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S161747 B193610 Second Appellate District, Div. 6

**KEYES (EVELYN) v. EZOR
(A. EDWARD)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 30, 2008.

S161767 H029907 Sixth Appellate District

**PEOPLE v. BYNUM (JIM
CARTER)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 20, 2008.

S161793 F052435 Fifth Appellate District

**PEOPLE v. THOMPSON
(RONALD STEVEN)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 2, 2008.

S161852 E040618 Fourth Appellate District, Div. 2

**PEOPLE v. POWELL
(RONALD)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S161873 C057315 Third Appellate District

**VALENCIA (JON
MATTHEW) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to July 2, 2008.

S162007 B202628 Second Appellate District, Div. 6

**LA CAVA (ROBERT JOSEPH)
ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to June 30, 2008.

S162051 A119279/A113111 First Appellate District, Div. 2 **SMART (ALVIN) ON H.C.**
The time for granting or denying review in the above-entitled matter is hereby extended to June 23, 2008.

S162112 A110891 First Appellate District, Div. 3 **PEOPLE v. HASLER (LUKE CLAY)**
The time for granting or denying review in the above-entitled matter is hereby extended to June 25, 2008.

S162121 C058216 Third Appellate District **PARKS (CHARLES AUSTIN) ON H.C.**
The time for granting or denying review in the above-entitled matter is hereby extended to June 25, 2008.

S162126 B206323 Second Appellate District, Div. 4 **CROSS (PLES) ON H.C.**
The time for granting or denying review in the above-entitled matter is hereby extended to June 25, 2008.

S162150 C058191 Third Appellate District **COOK (J. I.) ON H.C.**
The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162168 H031692 Sixth Appellate District **PEOPLE v. OLSEN (WILLIAM KARL)**
The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162169 D047564 First Appellate District, Div. 1 **PEOPLE v. GARCIA (RAUL ROJO)**
The time for granting or denying review in the above-entitled matter is hereby extended to June 26, 2008.

S162170 C055351 Third Appellate District

**PEOPLE v. VARGAS
(ALFREDO)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162172 F049408 Fifth Appellate District

**PEOPLE v. CAYADO
(MARCOS ALBERTO)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 1, 2008.

S162180 B205961 Second Appellate District, Div. 5

ARCHILA (OSCAR) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to June 30, 2008.

S162187 B192953 Second Appellate District, Div. 8

PEOPLE v. HAYNES (KEVIN)

The time for granting or denying review in the above-entitled matter is hereby extended to June 30, 2008.

S162188 B173670 Second Appellate District, Div. 8

PEOPLE v. TAYLOR (KEON)

The time for granting or denying review in the above-entitled matter is hereby extended to June 30, 2008.

S162192 E041609 Fourth Appellate District, Div. 2

**PEOPLE v. PINEDA
(VICTOR)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 30, 2008.

S162198 C053778 Third Appellate District

PEOPLE v. REYES (IVAN)

The time for granting or denying review in the above-entitled matter is hereby extended to June 30, 2008.

S162206 H030366 Sixth Appellate District

PEOPLE v. NGUYEN (MIKE MINH)

The time for granting or denying review in the above-entitled matter is hereby extended to June 30, 2008.

S162231 F051425 Fifth Appellate District

PEOPLE v. MENDOZA (ROBERT)

The time for granting or denying review in the above-entitled matter is hereby extended to June 30, 2008.

S162236 C052285 Third Appellate District

PEOPLE v. ARGUMEDO (VICTOR CASTANEDA)

The time for granting or denying review in the above-entitled matter is hereby extended to July 2, 2008.

S162241 B205976 Second Appellate District, Div. 3

HINES (LARRY) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162248 C058277 Third Appellate District

ANDERSON (MARK K.) v. S.C. (PEOPLE)

The time for granting or denying review in the above-entitled matter is hereby extended to June 26, 2008.

S162257 B205887 Second Appellate District, Div. 3

MATANGI (TAIOSISI) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to June 30, 2008.

S162262 A120907 First Appellate District, Div. 3

SNODGRASS (GARY) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to June 30, 2008.

S162271 H031174 Sixth Appellate District

PEOPLE v. LEAL (RAUL ANTHONY)

The time for granting or denying review in the above entitled matter is hereby extended to July 1, 2008.

S162288 B192579 Second Appellate District, Div. 3

PEOPLE v. CONOVER (MICHAEL ALLEN)

The time for granting or denying review in the above-entitled matter is hereby extended to July 2, 2008.

S162297 C052478 Third Appellate District

PEOPLE v. WEARY (ED FEDRICK)

The time for granting or denying review in the above-entitled matter is hereby extended to July 2, 2008.

S162302 A112776 First Appellate District, Div. 4

PEOPLE v. WALKER (JEFFREY)

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162303 A117896 First Appellate District, Div. 3

S. (USEF), IN RE

The time for granting or denying review in the above-entitled matter is hereby extended to July 2, 2008.

S162308 B206324 Second Appellate District, Div. 7

HARE (DANNY) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to July 2, 2008.

S162333 F054844 Fifth Appellate District

MARTIN (KAREN) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162336 E041360 Fourth Appellate District, Div. 2 **PEOPLE v. HERNANDEZ
(MARIO HERNANDEZ)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 1, 2008.

S162341 H031238 Sixth Appellate District **MENDIOLA (ROBERT) v.
PEKIN (PATRICK
MICHAEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 7, 2008.

S162342 B189960 Second Appellate District, Div. 2 **PEOPLE v. SOTO (JESUS M.)**
The time for granting or denying review in the above-entitled matter is hereby extended to July 1, 2008.

S162343 B204327 Second Appellate District, Div. 2 **DANIEL (DEMETRIUS) ON
H.C.**
The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162352 H030113 Sixth Appellate District **PEOPLE v. LOPEZ
(KRISTINA DAWN)**
The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162356 B196283 Second Appellate District, Div. 2 **PEOPLE v. GREEN
(WILLIAMS LEE)**
The time for granting or denying review in the above-entitled matter is hereby extended to July 2, 2008.

S162367 G037359 Fourth Appellate District, Div. 3 **PEOPLE v. CURIEL
(FREDDY
ALFREDO)**
The time for granting or denying review in the above-entitled matter is hereby extended to June 30, 2008.

S162373 D050280/D051292 Fourth Appellate District, Div. 1 **PEOPLE v. WILLS
(KAEOKULANI)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162377 C052810 Third Appellate District **PEOPLE v. ESTAMPA
(THOMAS ROBERT)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162379 E040190 Fourth Appellate District, Div. 2 **PEOPLE v. IMBACH (JASON
SCOTT)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162382 A121007 First Appellate District, Div. 3 **WAIWAIOLÉ (AMMON) ON
H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162392 E041438 Fourth Appellate District, Div. 2 **PEOPLE v. JOHNSON (ODIS
RAY)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162400 C052803 Third Appellate District **PEOPLE v. DAVIS (KEVIN
MICHAEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 7, 2008.

S162403 B193174 Second Appellate District, Div. 1 **PEOPLE v. DE ADAMS
(KENJUAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162406 A117346 First Appellate District, Div. 5 **SANTA CLARA COUNTY
CORRECTIONAL PEACE
OFFICERS ASSOCIATION v.
ABBATE (RICHARD T.)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162407 A115313 First Appellate District, Div. 4 **PEOPLE v. TRAPPS
(CLARENCE EDDIE)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162422 C052851 Third Appellate District **PEOPLE v. HARNED
(DONALD LAVERN)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 7, 2008.

S162432 B200818 Second Appellate District, Div. 5 **HART (CYNTHIA &
THOMAS), MARRIAGE OF**

The time for granting or denying review in the above-entitled matter is hereby extended to July 9, 2008.

S162433 B205085 Second Appellate District, Div. 8 **EDWARDS (KENNEDY) ON
H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to July 10, 2008.

S162437 C052705 Third Appellate District **VANACORE (DEREK) v.
HUCKABY (JERRY P.)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S162447 A120743 First Appellate District, Div. 2

**STEPHENSON (FRANK) ON
H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to July 7, 2008.

S162467 G037534 Fourth Appellate District, Div. 3

**WESTERN ETHANOL
COMPANY v. MIDWEST
RENEWABLE ENERGY**

The time for granting or denying review in the above-entitled matter is hereby extended to July 8, 2008.

S162483 C051333 Third Appellate District

**PEOPLE v. BURCEA
(LUCIAN DRAGOS)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 8, 2008.

S162488 G037960 Fourth Appellate District, Div. 3

**ACTION BOATS v.
CALIFORNIA DEPARTMENT
OF TRANSPORTATION**

The time for granting or denying review in the above-entitled matter is hereby extended to July 7, 2008.

S162499 F051859 Fifth Appellate District

**PEOPLE v. HOWARD
(EVERT KEITH)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 9, 2008.

S162501 G039933 Fourth Appellate District, Div. 3

**JOHNSON (ANTHONY) ON
H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to July 7, 2008.

S162502 D050831 Fourth Appellate District, Div. 1

C. (IVAN) IN RE

The time for granting or denying review in the above-entitled matter is hereby extended to July 9, 2008.

S162507 E040989 Fourth Appellate District, Div. 2 **PEOPLE v. CHAVIRA
(RUBEN MIGUEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 9, 2008.

S162509 B202101 Second Appellate District, Div. 1 **AVALOS (JUSTO) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to July 7, 2008.

S162518 A120929 First Appellate District, Div. 1 **PARKER (CLIFFORD
LELIKONA) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to July 9, 2008.

S162526 G039025 Fourth Appellate District, Div. 3 **LOPEZ (ANTHONY) v. S.C.
(PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 7, 2008.

S162530 F051312 Fifth Appellate District **PEOPLE v. URIAS (LARRY
MICHAEL)**

The time for granting or denying review in the above entitled matter is hereby extended to July 10, 2008.

S162531 C052872 Third Appellate District **MARINE FORESTS SOCIETY
v. CALIFORNIA COASTAL
COMMISSION**

The time for granting or denying review in the above-entitled matter is hereby extended to July 10, 2008.

S162537 E045497 Fourth Appellate District, Div. 2 **VEGA (JOHN) v. S.C.
(PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 9, 2008.

S162543 A115096/A115569 First Appellate District, Div. 2 **REMMICH (MARVIN) v. FEUSIER (MARIO M.S.B.)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 10, 2008.

S162548 H031925 Sixth Appellate District
PROJECT

OPEN MONTEREY

v. S.C. (COUNTY OF MONTEREY)

The time for granting or denying review in the above-entitled matter is hereby extended to July 10, 2008.

S162549 B206319 Second Appellate District, Div. 6 **AVILA (DANIEL) v. S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 10, 2008.

S162556 D048789 Fourth Appellate District, Div. 1 **PEOPLE v. HAIMAN (CHRISTOPHER SEAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 8, 2008.

S162561 G040091 Fourth Appellate District, Div. 3 **FREEDMAN (ALAN MARC) v.**

S.C. (CHARBONNEAU)

The time for granting or denying review in the above-entitled matter is hereby extended to July 10, 2008.

S162598 F052433 Fifth Appellate District **PEOPLE v. SEVERS (JONATHAN CHARLES)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 10, 2008.

S162631 H032518 Sixth Appellate District

HEBBE (PAUL E.) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to July 10, 2008.

S047868

**PEOPLE v. GEORGE
(JOHNATON SAMPSON)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Holly D. Wilkens's representation that she anticipates filing the respondent's brief by September 12, 2008, counsel's request for an extension of time in which to file that brief is granted to July 14, 2008. After that date, only one further extension totaling about 61 additional days is contemplated.

S055652

**PEOPLE v. FUIAVA
(FREDDIE)**

Extension of time granted

Good cause appearing, and based upon counsel Michael Satris's representation that he anticipates filing the appellant's supplemental reply brief by July 14, 2008, counsel's request for an extension of time in which to file that brief is granted to July 14, 2008. After that date, no further extension is contemplated.

S062180

**PEOPLE v. VALDEZ
(RICHARD)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Michael R. Johnsen's representation that he anticipates filing the respondent's brief by August 7, 2008, counsel's request for an extension of time in which to file that brief is granted to July 22, 2008. After that date, only one further extension totaling about 16 additional days is contemplated.

S073316

**PEOPLE v. EDWARDS
(ROBERT MARK)**

Extension of time granted

Good cause appearing, and based upon counsel Michael D. Abzug's representation that he anticipates filing the appellant's reply brief by December 31, 2008, counsel's request for an extension of time in which to file that brief is granted to July 18, 2008. After that date, only three further extensions totaling about 166 additional days are contemplated.

S085578**PEOPLE v. MCDOWELL, JR.,
(CHARLES EDWARD)**

Extension of time granted

Good cause appearing, and based upon counsel Tamara P. Holland's representation that she anticipates filing the appellant's opening brief by July 25, 2008, counsel's request for an extension of time in which to file that brief is granted to July 25, 2008. After that date, no further extension is contemplated.

S157008

B192177 Second Appellate District, Div. 4

**PEOPLE v. GAINES
(RODNEY LOUIS)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to July 14, 2008.

S160814**VIRGIL (LESTER WAYNE)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Erika D. Jackson's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by September 5, 2008, counsel's request for an extension of time in which to file that document is granted to July 14, 2008. After that date, only one further extension totaling about 55 additional days is contemplated.

S161382**LOWE (ANDREW GERAD)
ON H.C.**

Extension of time granted

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file respondent's informal response is extended to June 13, 2008.

S096218**BLANCHFILL ON
DISCIPLINE**

Order filed

Due to a clerical error of the State Bar, the order filed on June 1, 2001, suspending STEPHEN I. BLANCHFILL from the practice of law is modified to substitute State Bar Court Case No. 00-O-10477, in place and stead of State Bar Court Case No. 00-O-10377. This order is entered nunc pro tunc as of June 1, 2001.

S159069**SHERMAN ON
RESIGNATION**

Order filed

The order filed on May 14, 2008, declining to accept the resignation of LESLIE JAMES SHERMAN is amended to read, in its entirety; "This court having received and considered the voluntary resignation of LESLIE JAMES SHERMAN, State Bar No. 140366, as a member of the State Bar of California, declines to accept the resignation. (Cal. Rules of Court, rule 9.21(d).)"

S162718**GRASBERGER ON
RESIGNATION**

Order filed

Pursuant to the May 16, 2008, letter from the State Bar of California, the order filed on April 18, 2008, accepting the resignation of JOHN EDWARD GRASBERGER, State Bar No. 89774, with disciplinary proceedings pending, is hereby vacated.

S162851 B206738 Second Appellate District, Div. 3**SPECTOR (PHILLIP) v. S.C.
(PEOPLE)**

Order filed

The application of real party in interest for permission to file exhibits in excess of the ten page limitation is hereby granted.

S163573**BAR ADMISSION 2008
(FEBRUARY EXAM)**

General Bar admission order filed

S163567**BERNEMAN ON
RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation of ISAAC BERNEMAN, State Bar No. 52223, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 9.20 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* It is recommended that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S163571**STONE ON RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation of MORRIS STONE, State Bar No. 27992, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 9.20 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* It is recommended that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S163572**WATT ON RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation of DENNIS RICHARD WATT, State Bar No. 38883, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 9.20 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* It is recommended that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA
FOR ADMISSION OF ATTORNEYS (MOTION NO. 818)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

B201855

Second Appellate District, Div. 3

**SHARP (JANICE) v. CITY OF
PASADENA, ETC.**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Three to Division Five.

B202554

Second Appellate District, Div. 5

**ADAMS (MARISELA C.) v.
LOS ANGELES UNIFIED
SCHOOL DISTRICT**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Five to Division Three.